



80 BROAD STREET, 23RD FLOOR
NEW YORK, NEW YORK 10004
(212) 509-3456 – TELEPHONE
(212) 509-4420 – FACSIMILE
www.mkcilaw.us.com

January 14, 2022

Via CM/ECF

The Honorable James R. Cho, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jennifer Hough v. Kenneth Petty AKA (“Zoo”)
Case No. 1:21-cv-04568-ENV-JRC

Hon. Judge Cho:

McGivney, Kluger, Clark, & Intoccia, P.C. (the “Firm”), specifically Michael Snizek and the undersigned, are currently co-counsel for plaintiff, Jennifer Hough (“Hough”) in the above action. Pursuant to F.2 of Your Honor’s Individual Practices, we submit this Letter Motion to withdraw as counsel for Plaintiff.

We submit that our Firm presents satisfactory reasons for withdrawal under Local Civil Rule 1.4. The general basis for the motion is that withdrawal is appropriate based on NY Rules of Prof. Con. Rule 1.16 (c)(1), (7), and (8). The Firm notes the presence of two (2) other attorneys, co-counsel Tyrone Blackburn and Steven Gordon, and their respective firms, remain as counsel on this case. Both Ms. Snizek and the undersigned have recently filed Notices of Appearances for Hough in late November and early December 2021. Neither Mr. Snizek nor the undersigned have filed any motions or pleadings in this matter. Hough will not be prejudiced, as she remains represented by two (2) separate firms at this time. The case is in early stages, with fully briefed motions relating to clerk and/or judicial default pending before the Court. The Firm also notes the dismissal of one of the parties in this case, Onika Tanya Maraj. In addition, we note that the client, Jennifer Hough, has provided written consent to our Firm withdrawing from the action.

FLORHAM PARK, NJ
(973) 822-1110

HARTFORD, CT
(860) 404-3000

WILMINGTON, DE
(315) 473-9648

SYRACUSE, NY
(302) 656-1200

NEW YORK, NY
(212) 509-3456

PHILADELPHIA, PA
(215) 557-1990

SPARTA, NJ
(973) 726-4958

MIAMI, FL
(305) 423-7189

We request that the Court allow us to file our motion to withdraw, and the accompanying declaration and memorandum of law, under seal for *in camera* review and consideration, with copies served on Defendants but not any other parties, in order to preserve the confidentiality of the attorney-client relationship. See *e.g. Thekkekk v. LaserSculpt, Inc.*, No. 11 Civ. 4426(HB)(JLC), 2012 WL 225924, at *3 (S.D.N.Y. Jan. 23, 2012) (granting motion to withdraw upon *in camera* review, explaining: “documents in support of motions to withdraw as counsel are routinely filed under seal where necessary to preserve the confidentiality of the attorney-client relationship between a party and its counsel, and ... this method is viewed favorably by the courts”) (internal quotations omitted) (quoting *Team Obsolete Ltd. v. A.HR.MA. Ltd.*, 464 F.Supp.2d 164, 165-66 (E.D.N.Y. 2006)); *Weinberger v. Provident Life & Cas. Ins. Co.*, No. 97 Civ. 9262(JGK), 1998 WL 898309, at *1 (S.D.N.Y. Dec. 23, 1998) (“it is appropriate for a Court considering a counsel's motion to withdraw to consider *in camera* submissions in order to prevent a party from being prejudiced by the application of counsel to withdraw”).

We respectfully assert that, should this Court not grant our request to file our motion to withdraw as counsel without a pre-motion conference, we would respectfully request that the Court hold an expedited *in camera* pre-motion conference. Thank you for Your Honor’s time and consideration in this matter.

We will file supporting documentation for the motion to withdraw along with our motion for leave to file documents under seal pursuant to this Court’s Rules.

Respectfully submitted,

/s/ Tara E. Faenza

Tara E. Faenza

tfaenza@mcgivneyandkluger.com